

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Application of:

Phillips et al

Application No. 09/553,068

Filed: April 20, 2000

For: Masking Private Billing Data By
Assigning Other Billing Data to Use
in Commerce with Business



Examiner: Jagdish N Patel

Art Unit: 3624

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on this date: 11/30/04

Typed or Printed: Chris Hardin

Signature: Chris Hardin Date: 11/30/04

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Declaration of Witness Pursuant to 37 CFR §1.131

Sir:

I, Al AuYeung, hereby declare that:

1. I am a citizen of the United States of America, and currently a resident of the State of Oregon, residing in or around the greater Portland metropolitan area.

2. I am admitted to practice law in the States of California, Oregon and Washington, and I am also admitted to practice before the Patent and Trademark Office (Registration number 35432). I'm a member of good understanding of each of the aforementioned bars.

3. I was the inventors' patent counsel during the entire relevant period, that is, starting no later than on or about March 7, 2000 until present.

4. To the best of my recollection, and as refreshed by the specification, the claims as they are currently pending, and the enclosed memorandum to file, dated

March 7, 2000, summarizing the subject matters of the invention disclosure meeting I had with the inventors on March 7, 2000, I declare that each of the subject matters was given a short easy to remember "title", and a very short description of what was disclosed to me in the meeting. The subject matter of the present application, for ease to remember, was given the short title of E-Commerce credit card per site" (Item 3), at the time. In particular, the subject matter as claimed by the currently pending claims, including the concept of "a billing service providing a first billing data for exclusive use by a user to conduct transactions with a first web site;" and "the billing service providing a second billing data, separate and distinct from the first billing data, for exclusive use by said user to conduct transactions with a second web site." was disclosed to me in the meeting.

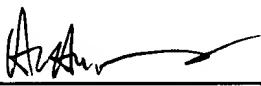
5. I additionally declare that the inventors were diligently working with me since that time, in getting letter patent applications prepared for the subject matters disclosed in the meeting in the ensuing months, as evident by an annotated version of the March 7, 2000 memo, updated with the application/patent numbers and filing dates, including in particular, the subject patent application, filed on April 20, 2000.

- I prepared, at least three drafts (initial, second, and final) and the inventor reviewed and/or commented on each of those drafts, a total of at least twelve drafts, during the later part of March 2000 and the earlier part of April 2000 (an approximately 4 week period), leading to their filings as U.S. Patent Applications number 09/558,942 and 09/558,940 on April 26, 2000, 09/553,068 on April 20, 2000, and 09/817,827 on March 26, 2000, respectively.
- The '942 application, as filed, contained 13 pages of 2,345 words (including 17 claims), and 1 figure.
- The '940 application, as filed, contained 11 pages of 1,894 words (including 14 claims), and 1 figure.
- The '068 application as filed, contained 34 pages of 7,135 words (including 60 claims), and 5 figures.

- The '837 application as filed, contained 28 pages of 5,323 words (including 44 claims), and 7 figures.
- In summary, during the relevant 4 week period, I prepared, and the inventors reviewed and commented on, an average of more than 21 pages of more than 4,100 words (including more than 20 claims) per week, to make possible the total finished output of more than 84 pages of more than 16,000 words (including more than 135 claims), and 14 figures.

I further declare that all statements made herein of our own individual knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-identified patent application or any patent issued thereon.

Executed by and on the date(s) as set forth below:

By: 

Al AuYeung

Date: 11/30/04

Attorney Docket No. 112076-138336

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Typed or Printed: Christy FurdellSignature: Christy Furdell Date: 11/30/04Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450**Declaration of Inventors Pursuant to 37 CFR §1.131**

Sir:

I, G. Eric Engstrom, hereby declare that:

1. I am a citizen of the United States of America, and currently a resident of the State of Washington, residing in or around the greater Seattle metropolitan area.
2. I am a co-inventor of the subject matters of the above-captioned application, as originally declared on or around April 20, 2000 in the combined declaration and power of attorney filed on or about April 20, 2000.
3. To the best of my recollection, and as refreshed by specification, the claims as they are currently pending, and the enclosed memorandum to file of my counsel, dated March 7, 2000, summarizing the subject matters of the invention disclosure meeting I had with my counsel no later than March 7, 2000, we conceived

Attorney Docket No. 109911-130413

Patent

the invention of the present application, as it is claimed by the currently pending claims, before March 7, 2000. Each of the subject matters disclosed in the meeting was given a short easy to remember "title", and a very short description. The subject matter of the present application, for ease to remember, was given the short title of "E-Commerce credit card per site" (Item 3), at the time. The invention conceived at that time includes all aspects claimed in the claims as they are currently pending, including in particular, the concepts of "a billing service providing a first billing data for exclusive use by a user to conduct transactions with a first web site;" and "the billing service providing a second billing data, separate and distinct from the first billing data, for exclusive use by said user to conduct transactions with a second web site."

4. I additionally declare that we've been diligently working with my counsel since that time, as supported by the annotated version of the March 7, 2000 memo, updated with the application/patent numbers and filing dates, in getting letter patent applications prepared for the subject matters disclosed in the meeting in the ensuing months, including in particular, the subject patent application, filed on April 20, 2000.

- We reviewed and worked with the drafting attorney(s) on at least two drafts each of disclosures #1, #2, #3 and #5 (a total of at least eight drafts), during the later part of March 2000 and the earlier part of April 2000 (an approximately 4 week period), leading to their filings as U.S. Patent Applications number 09/558,942 and 09/558,940 on April 26, 2000, 09/553,068 on April 20, 2000, and 09/817,827 on March 26, 2000, respectively.
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- The '837 application as filed, contained 28 pages of 5,323 words (including 44 claims), and 7 figures.
- In summary, during the relevant 4 week period, we reviewed and commented on, an average of more than 21 pages of more than 4,100 words (including more than 20 claims) per week, to make possible the total finished output of more than 84 pages of more than 16,400 words (including more than 135 claims), and 14 figures.

I further declare that all statements made herein of our own individual knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-identified patent application or any patent issued thereon.

Executed by and on the date(s) as set forth below:

By: 
G. Eric Engstrom

Date: 11/29/2004